

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

MAY 12 2003

CATHY A. CATTERSON

U.S. COURT OF APPEALS

In re: MARK DESIGNS, INC.,

No. 02-55799

Debtor,

D.C. No. CV-01-08514-MMM

ORDER*

MARIA HORWITZ; RANDY E. BENDEL,

Appellants,

v.

DAVID K. GOTTLIEB, Chapter 7 Trustee;
TRI-STAR WINDOW COVERINGS, INC.;
MARK HORWITZ; BERNARD
WARSHAUER; DOROTHY WARSHAUER,

Appellees.

Appeal from the United States District Court
for the Central District of California
Margaret M. Morrow, District Judge, Presiding

Argued and Submitted May 7, 2003
Pasadena, California

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by Ninth Circuit Rule 36-3.

Before: BROWNING, B. FLETCHER, and SILVERMAN, Circuit Judges.

This appeal is dismissed as moot. Appellant did not seek a stay of the underlying adversary proceedings in which appellant sought to intervene. The parties have settled the adversary proceedings and the case has been dismissed.

DISMISSED.